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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                                       |   |
|---------------------------------------|---|
| -----X                                |   |
| JAMES J. IZARD, JOHN J. KRASKA, JAMES | : |
| RIVER INSURANCE COMPANY, LTD.,        | : |
| JAMES RUSSELL REID, HENRY U. HARRIS   | : |
| III, and EDWARD R. STETTINIUS,        | : |
|                                       | : |
| Plaintiffs,                           | : |
|                                       | : |
| -against-                             | : |
|                                       | : |
| QUEST ENERGY CORPORATION,             | : |
| SAMUEL COAL COMPANY, INC.,            | : |
| MARK C. JENSEN, AND THOMAS M.         | : |
| SAUVEY,                               | : |
|                                       | : |
| Defendants.                           | : |
| -----X                                |   |

20-cv-8608 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on July 9, 2021, the Court ordered Plaintiffs to file their motion for summary judgment, if any, by October 1, 2021. Dkt. 35. The Court further ordered that, no later than September 15, 2021, Defendants must inform Plaintiffs and the Court if they intend to cross-move for summary judgment. *Id.*;

WHEREAS also on July 9, 2021, the Court referred the parties to a magistrate judge for settlement. Dkt. 36;

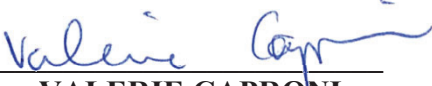
WHEREAS on July 22, 2021, Magistrate Judge Gorenstein adjourned the settlement conference *sine die* so that the parties could focus on settlement discussions, and reminded the parties that “[a]ll deadlines in this case remain in effect. Dkt. 39;

WHEREAS to date Plaintiffs have not moved for summary judgement and Defendants have not informed the Court that it intends to cross-move for summary judgement;

IT IS HEREBY ORDERED THAT the parties must file a joint status update with the Court by **October 15, 2021**, informing the Court of progress toward settlement and both parties' intentions to file dispositive motions.

**SO ORDERED.**

**Date: October 7, 2021**  
**New York, New York**

  
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**VALERIE CAPRONI**  
**United States District Judge**